**United States District Court**
For the Northern District of California

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6                    IN THE UNITED STATES DISTRICT COURT
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8              FOR THE NORTHERN DISTRICT OF CALIFORNIA
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10   UNITED STATES OF AMERICA,                    No. CR 15-0126 WHA
11          Plaintiff,
12   v.                                           **ORDER RE UPCOMING STATUS
                                                  CONFERENCE AND REQUEST
13   VLADIMIR HANDL,                              TO APPEAR BY TELEPHONE**
14          Defendant.
15   _____ /
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         The Court is in receipt of defendant Vladimir Handl's request for "guidance."  By **NOON**

17   **ON DECEMBER 14, 2015**, the parties are requested to submit a memorandum of five pages or

18   less addressing the following:

19          (1)  If Handl were to go to trial with the other defendants as
             scheduled, and his counsel did nothing at trial to contest the
20           government's allegations, would this "defense" be so inconsistent
             with the strategy of the other defendants as to require a separate
21           trial?

22           (2)  Would both parties accept a deal in which Handl would plead
             guilty to all counts, reserving only the right to appeal the denial of
23           his motion to dismiss the indictment due to outrageous government
             conduct, based solely on the record presented at the time of that
24           motion?  In other words, the appellate record would be limited to
             the evidence presented in the motion Handl filed in September
25           2015.

26       The Court is willing to hold the currently scheduled status conference on December 15.

27   Handl's request to appear by telephone is **DENIED**, as counsel's statement regarding Handl's

28   "current financial situation" does not constitute good cause sufficient to grant the request.

Moreover, Handl has not yet admitted to anything — nothing in the proffer has been signed by Handl and does not yet constitute acceptance of responsibility.   The Court is not prepared to say whether it will be able to provide "guidance" as to how to resolve this issue.

**IT IS SO ORDERED.**

Dated:  December 9, 2015.

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

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